IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.3323 OF 2005

Shri Omkar Ramesh Korde ..Applicant

V/s.

State of Maharashtra ..Respondent

Mr.A.M.Saraogi with Ms.Shraddha Y.Mohite for the applicant.

Mr.V.B.Konde-deshmukh APP for Respondent/State.

Coram : R.S.MOHITE,J

Date : 20.05.2005.

PC

1. This is an application for grant of bail. The applicant is shown as an accused in C.R.No.231/2005 registered by Swargate Police station, Pune. The deceased is one Khandu and he was attacked on 27.3.2005 at about 9.30 p.m. in front of play ground at Sahakar Nagar. He was attacked by Shailesh Jadhav, Kalpesh Jadhav and 3 to 4 other persons by means of deadly weapons. The learned APP before the Sessions court had admitted that the name of the applicant did not appear in the FIR. I am informed that so far the applicant has not been identified. It appears that test identification parade was conducted yesterday but the report of the Tahsildar has not been yet received. Advocate for

the applicant states that he has obtained instructions that none of the witnesses identified the present applicant in the test identification parade. This statement is accepted as it comes from the Advocate for the applicant. Apart from this, the only evidence against the present applicant appears that his car is said to be used while committing the offence. Admittedly, there are no blood stains found inside the car.

2. The applicant is therefore, directed to be released on bail in the sum of Rs.10,000/- with one surety in the like amount subject to the condition that he will report to the Swargate police station Pune, twice a week on Monday and Thursday by 5.00 P.M. to 7.00 P.M. till the charge-sheet is filed.

(R.S.MOHITE,J)